



FRW

Attorney Docket No.: 61352-060
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of :
Hideaki ADACHI, et al. : Customer No.20277
Serial No.: 10/730,096 : Confirmation No.: 2687
Filed: December 9, 2003 : Group Art Unit: 1775
For: THERMOELECTRIC TRANSDUCING MATERIAL, : Examiner: JENNIFER C. MCNEIL
AND METHOD FOR PRODUCING THE SAME :

ELECTION UNDER 35 U.S.C. § 121

Mail Stop Amendment
Hon. Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the restriction requirement set forth in the Office Action mailed February 9, 2005, having a shortened statutory period for response set to expire March 9, 2005, wherein the Examiner required restriction between the following Groups:

- | | | |
|----------|---|--|
| Group I | - | Claims 1-24, drawn to a thermoelectric transducing material and |
| Group II | - | Claims 25-27, drawn to a method for producing a thermoelectric transducing material. |

Applicants elect Group I, claims 1-24, for initial prosecution on the merits. Applicants also reserve the right to file a Divisional Application for the non-elected claims 25-27, which the Examiner has indicated is patentably distinct.

Applicants believe that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition for extension of time. The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-0417. A duplicate copy of this Response is enclosed for accounting purposes.

Respectfully submitted,

McDERMOTT WILL & EMERY LLP

Date: _____

3/7/05

By: _____

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